

property levied upon by execution or sale, under deeds of trust or mortgage, to bring nine-tenths of its appraised value," approved March 4th, 1863, and that with this amendment they recommend the passage of the bill.

J. K. P. RECORD, Chairman.

Report received to come up in order.

Upon motion of Senator Cook, the Senate adjourned until to-morrow morning at 10 o'clock.

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SENATE CHAMBER, }  
AUSTIN, Sept. 5, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Jowers presented a petition from the citizens of Houston county, asking relief.

Referred to Committee on Finance.

Senator Foscue submitted the following report :

*Hon. President of the Senate ;*

The Committee on Internal Improvements, to whom was referred a bill to be entitled "An act to incorporate the Galveston Wharf Junction Railroad Company," have had the same under consideration, and instruct me to report it back to the Senate, and recommend its passage.

F. F. FOSCUÉ,  
One of the Committee.

Received to come up in order.

Senator Reed made the following report :

*Hon. R. H. Guinn, President pro tem. of the Senate :*

The Committee on Roads, Bridges and Ferries to whom was referred a bill to be entitled "An act to incorporate the Yegua Bridge Company," have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Respectfully submitted,

J. B. REED, Chairman.

Received to come up in order.

Senator Neyland submitted the following report :

*Hon. R. H. Guinn, President pro tem., Senate :*

The Committee on Engrossed Bills, have examined and find correctly engrossed, the following bills to-wit :

A bill to be entitled "An act to amend an act to establish a

Code of Criminal Procedure for the State of Texas," approved August 26, 1856, and to repeal certain portions thereof.

A bill to be entitled "An act to regulate the time that Railroad passenger cars shall stop at way stations."

A bill to be entitled "An act to repeal certain acts therein named."

A bill to be entitled "An act for the relief of John Henry Bullard from the disability of minority," and "joint resolution requesting our members in the Congress of the United States, to use their influence in securing the location of a branch of the United States District Court at Dallas."

N. M. NEYLAND,

Chairman of Committee on Engrossed Bills.

Report accepted.

Senator Parker made the following report :

*Hon. R. H. Guinn, President pro tem. of the Senate :*

The Committee on Enrolled Bills have examined the following bills, to-wit :

"An act making an appropriation to defray the contingent expenses of the Eleventh Legislature."

"An act authorizing the State Treasurer to employ an extra clerk for the term of six months."

"An act to make an appropriation to pay the funeral expenses of Hon. J. W. Guinn," and find the same correctly enrolled, properly signed, and have this day presented the same to the Governor for his approval.

F. J. PARKER,

Chairman Committee.

Senator Yarbrow submitted the following report :

*Hon. Geo. W. Jones, President of the Senate :*

The Committee on Manufactures and Commerce, to whom was referred House bill entitled "An act to incorporate the Merchants' Mutual Insurance Company," having had the same under consideration, a majority of the committee have instructed me to report the same back to the Senate, and recommend the passage of the same, with the following amendments :

Amend the 8th section, by striking out the words "or of a duly commissioned Justice of the Peace of said county," in the 7th, 8th and 9th lines, also, "or Justice of the Peace aforesaid" in the 25th and 26th lines of the same section. All of which is respectfully submitted.

J. C. YARBROW, Chairman.

Received to come up in order.

Senator Yarbrow also reports :

*Hon. Geo. W. Jones, President of the Senate :*

The Committee on Manufactures and Commerce, to whom was referred House bill, to incorporate the "Texas Oil, Iron, Mining and Manufacturing Company," having had the same under consideration, a majority of the committee have instructed me to report the same back to the Senate, and recommend the passage of the bill, with the following amendment:

Strike out the words "in all courts and places," in the 21st. and 22d. lines of the 1st section. All of which is respectfully submitted.

J. C. YARBRO, Chairman.

Received to come up in order.

Senator Shannon submitted the following report :

*Hon. R. H. Guinn, President pro tem. of Senate :*

SIR : The Committee on Indian Affairs, to whom was referred the House bill, entitled "An act for the protection of the Frontier of the State of Texas," have had the same under consideration, and are unanimously of opinion that the general provisions of said bill are preferable to those of the Senate bill, and therefore instruct me to recommend its adoption, with an amendment, as a substitute for the bill now under consideration in the Senate.

#### AMENDMENT.

SEC. 3. That ten companies of said battalions shall be raised if practicable, in the counties of Cook, Montague, Clay, Jack, Wise, Young, Parker, Tarrant, Palo Pinto, Johnson, Hill, Erath, Comanche, Hamilton, Bosque, Coryell, Lampasas, Brown, San Saba, McCulloch, Mason, Menard, Llano, Williamson, Burnet, Blanco, Comal, Kendall, Gillespie, Kerr, Bandera, Uvalde, Frio, Medina and Atascosa ; which counties shall be apportioned by the Governor into ten districts, each county be allowed to furnish an equal number of men, as near as practicable, and in case of failure to obtain the requisite number in said counties, then such deficiency may be supplied from adjoining counties, and five companies of said battalions, may be received in any portion of the State of Texas that the Governor may direct. All of which is respectfully submitted.

WM. R. SHANNON, Chairman.

Received to come up in order.

Senator Stell submitted the following report :

*Hon R. H. Guinn, President pro tem. Senate :*

The Committee on State Affairs, to whom was referred a House bill entitled "An act to provide for the appointment of

a commissioner of statistics, as directed in the Constitution, to prescribe his duties and to fix his salary, and that of his assistants, and further to provide for the means of making Texas known in other countries, and to prescribe the manner of their application," have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendments:

Amend by inserting in the caption, immediately after the word "constitution," the words "who shall also be commissioner of agriculture," and striking out of the caption and after the word dollars the words "per annum," also amend section 5, by inserting after the word "dollars," the words "per annum." Also amend section 7, by striking out the figures "\$7,000" and the word "seven" and insert the figures "\$5,000," and the word "five," as also same section, insert after the word "dollars," the words "per annum," and when so amended recommend its passage.

Respectfully submitted,

J. W. STELL, Chairman.

Received to come up in order.

Senator Stell also reports:

*Hon. R. H. Guinn, President pro tem. Senate:*

The Committee on State Affairs, to whom was referred a bill to be entitled "An act to authorize the County Court of Comal county to levy and collect a special tax," have had the same under consideration, and have instructed me to report it back to the Senate, with the following amendment:

Amend by inserting, after dollars in first section, "and a special poll tax of twenty-five cents," and when so amended, recommend its passage. All of which is most respectfully submitted.

J. W. STELL, Chairman.

Senator Cook made the following report:

*To the President of the Senate:*

The Committee on Federal Relations, to whom was referred the resolutions endorsing the policy and administration of the President of the United States, introduced in the Senate, August 21st, have had the same under consideration, and after examining the same, instruct me to report as follows:

The second resolution of the series shall be amended so that the same shall read thus: 2d. That the people of the South did not engage in a war upon the Constitution, as framed and worded by the fathers and founders of the Government, nor upon the Government as established and administered in accordance with that sacred instrument. but that they appealed to arms

only when under a perversion of its forms, and in violation of its spirit, we found our liberties imperiled and our institutions assailed by a triumphant and fanatical majority.

After the word "it," in the second line of the 5th resolution, strike out and insert the following words: "being a practical application of the true construction to the rights and relations of the State to the General Government, meets our approbation and support."

With these amendments, the committee unanimously instruct me to report the resolutions, and recommend their adoption.

Respectfully submitted.

R. V. COOK, Chairman.

Received, to come up in order.

Senator Selman submitted the following report:

*Hon. R. H. Guinn, President pro tem. of the Senate:*

The Committee on Public Lands, to whom was referred a resolution instructing said committee to inquire into the expediency of giving to actual settlers upon the unappropriated public domain of the State three hundred and twenty acres of land, &c., &c., have duly considered the same, and a majority of the committee have instructed me to report the accompanying bill, and recommend its passage.

B. T. SELMAN, Chairman.

Senator Randolph introduced a bill to amend the 1st section of an act entitled "An Act regulating sequestrations, approved March 15th, 1848."

Bill read first time, and referred to Committee on the Judiciary.

Senator Guinn introduced a bill to repeal "An Act to suspend the location, survey and sale of the public lands, except in certain cases," approved December 4th, 1863.

Bill read first time, and referred to Committee on the Judiciary.

Senator Knox introduced a bill to authorize the County Court of Bexar county, for the purpose of erecting a court house and jail, to borrow money, issue bonds therefor, and levy a special tax for the payment of the same.

Bill read first time, and referred to Committee on Finance.

Senator McDade introduced a bill to extend the time for renewing files of land certificates, making surveys and return of field notes.

Bill read first time, and referred to Committee on Public Lands.

Senator Knox introduced a bill to incorporate the San Pedro

Spring Railroad Company, and asked that it be read by caption.

Bill read first time, as requested, and referred to Committee on Internal Improvements.

Senator Parker introduced a bill to confer the office of Librarian upon Clerks of the Supreme Court.

Bill read first time, and referred to Committee on the Judiciary.

Senator Shelley introduced a bill to amend "An Act concerning proceedings in the District Courts," approved March 16th, 1848.

Bill read first time, and referred to Committee on the Judiciary.

Senator Knox introduced a bill to incorporate the Gymnastic Association of San Antonio.

Bill read first time, and referred to Committee on State Affairs.

Upon motion of Senator McDade, Senator Boyd was excused on account of indisposition.

Senator Knox offered the following resolution :

*Resolved*—the House concurring—That a committee of three, to consist of *one* member of the Senate, and *two* members of the House of Representatives, be raised, to investigate the books, accounts, and papers of the late Military Board of the State of Texas, and to trace the assets of said Board, whether said assets be of property, money, bonds of the State of Texas, or other character of funds or bonds.

Second. That said committee be empowered to send for persons and papers, by summons or attachment, to administer oaths, and to call to their aid the services of an experienced accountant.

Third. That said committee sit without delay, and begin the examination of said matters referred to in resolution No. 1.

Upon motion of Senator Parker, the resolution was taken up, read and adopted.

Senator Knox moved that the vote adopting the resolution be reconsidered, and the resolution referred to the Committee on the Judiciary.

Motion carried.

The hour having arrived for the consideration of special order, viz: Senate bill for the protection of the frontier of the State of Texas,

Upon motion of Senator Shannon, the bill was taken up and read ; and

Upon motion of Senator Burney, the rule was suspended, and the House bill providing for the protection of the frontier was also taken up and read for the information of the Senate.

Senator Shannon moved to substitute the House bill for Senate bill.

Senator Neyland moved that both bills be recommitted to a select committee of five.

The yeas and nays being called, the motion to recommit prevailed by the following vote :

YEAS—Senators Braswell, Brown, Cook, Coppedge, Foscue, Guinn, Jowers, Lane, Nelson, Neyland, Randolph, Selman, Shelley, Truitt and Yarbro—15.

NAYS—Senators Blount, Burney, Cooley, Dalrymple, Knox, Littleton, McDade, Parker, Record, Reed, Shannon and Stell—12.

Upon motion of Senator Shelley, fifty copies of both bills were ordered to be printed, and

Upon motion of Senator Jowers, the committee was instructed to report their action on the bill to the Senate at 10½ o'clock on Monday morning next.

The President announced the following committee, under the motion of Senator Neyland :

Senators Neyland, Shannon, Randolph, Cook and Cooley.

A message was received from the House, announcing the passage of the following Senate bills :

A bill to incorporate the Houston Direct Navigation Company, and a bill apportioning the State into Congressional Districts, and providing for the election of members to the Congress of the United States.

Senator Shelley introduced a bill to provide for elections in certain cases.

Bill read first time, and referred to Committee on the Judiciary.

Upon motion of Senator Stell, the Senate adjourned until to-morrow morning at 10 o'clock.

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SENATE CHAMBER, }  
Sept. 6, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.